

Agricultural Marketing Service
Office of Deputy Administrator
for Marketing Program Operations
Fruit and Vegetable Division
P.A.C.A. Branch
Regional Office
Fruit and Vegetable Marketing Specialist (Regulatory), GS-1146-11

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I. INTRODUCTION

This branch administers the Perishable Agricultural Commodities Act (PACA), which prohibits unfair trade practices in the marketing of fresh and frozen fruits and vegetables in interstate or foreign commerce and the Produce Agency Act (PAA). The position is located in a regional office of the branch.

The incumbent has responsibility for handling all assigned complaint and/or license matters originating under PACA and all assigned complaint matters originating under the PAA.

II. MAJOR DUTIES

Handles complex contractual disputes involved in reparation complaints of more than average difficulty through correspondence or personal contact.

Conducts personal investigations and audits of business records to verify accounts of sales, assemble evidence for use in administrative or court proceedings, prevent or correct misbranding and misrepresentation of perishable agricultural commodities, determine need for license, and evaluate financial status of fruit and vegetable traders.

Provides counseling service and advice on fair trade practices to industry members.

Appears as official government witness at administrative hearings and court proceedings involving actions brought under the PACA and PAA.

III. FACTORS

1. Knowledge Required by the Position:

Thorough knowledge of the PACA and the PAA and the rules, regulations, and precedents established thereunder.

Knowledge of production, marketing, and distribution procedures unique to the fresh and frozen fruit and vegetable industry.

Knowledge of the grading procedures of U.S. grade standards for fruits and vegetables.

Knowledge of Market News reports and procedures.

Knowledge of various laws relating to business structures, bankruptcy, and state regulatory functions.

2. Supervisory Controls:

Works under the general supervision of the Regional or Assistant Regional Director. Incumbent is expected to handle all but most complex assignments to a conclusion on own initiative.

3. Guidelines:

Specific guidelines include the PACA and the PAA and rules and regulations issued thereunder. General guidelines include USDA and court precedent decisions involving contracts, agency and fair trade practice, as well as bankruptcy laws and various state laws.

4. Complexity:

The work involves resolving highly technical contractual disputes requiring knowledge of many aspects of marketing. Also, involves the ability to extract information, obtain evidence, and reach conclusions on data obtained from diverse business records.

5. Scope and Effect:

The work product has a direct and substantial impact on fair trade practices in the industry. Large sums of money, and even the right of fruit and vegetable traders to engage in business, can be affected by the decisions rendered.

6. Personal Contacts:

Members of the fruit and vegetable industry and related industries, such as truckers and railroad officials, attorneys, federal and state officials. Contacts are sometimes made under adverse conditions, and incumbent will encounter hostility and occasional aggressive behavior from individuals subject to sanctions under the laws.

7. Purpose of Personal Contacts:

To provide advice on contractual disputes, to obtain evidence for administrative and court proceedings, and to resolve complaint and license issues.

8. Physical Demands:

Normal physical demands of a regular work situation, with ability to carry objects such as files or business records.

9. Work Environment:

Normal office setting, occasional exposure to high risk situations typical of fruit and vegetable processing plants, distribution warehouses, and storage areas.